

2004 FEB 10 P 1:14

MCImetro ACCESS TRANSMISSION)
SERVICES, INC.)

Docket No. 04-0087 CHIEF CLERK'S OFFICE

Petition for Emergency and Expedited)
Relief to Protect from Disclosure in)
Their Entirety for a Period of Not Less)
Than Five Years Petitioner's 2003)
Annual Report)

PETITION FOR EMERGENCY
AND EXPEDITED RELIEF

MCImetro ACCESS TRANSMISSION SERVICES, INC. ("MCImetro"), by and through one of its attorneys, hereby petitions the Illinois Commerce Commission ("Commission") to grant to it the emergency relief requested herein. In support of this petition, MCImetro states as follows:

1. As a telecommunications carrier subject to the jurisdiction of the Commission, MCImetro is required to file with the Commission an annual report. MCImetro is prepared to file the requisite annual report with the Commission once this petition for proprietary treatment is granted.

2. Due to the content and nature of the filings, MCImetro's annual report will necessarily contain commerce and financial information that is highly sensitive, proprietary, confidential and the type of information which would be of particular interest to MCImetro's competitors and potential competitors.

3. Because the information that will be contained in MCImetro's annual reports is so competitively sensitive, it is imperative that public disclosure of the proprietary information that

will be contained in its annual reports be maintained under seal for a period not less than five years following the issuance of an Order herein by this Commission, since disclosure of this information any earlier would be likely to cause MCImetro serious competitive harm.

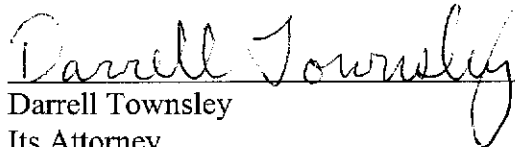
4. Section 7 of the Illinois Freedom of Information Act, 5 ILCS 140/7 (g) (1994) exempts from public disclosure "trade secrets and commercial or financial information . . . where such trade secrets or information are proprietary, privileged or confidential." The annual reports that are the subject of this Petition fall within this exemption.

WHEREFORE, MCImetro ACCESS TRANSMISSION SERVICES, INC. respectfully requests that the Commission issue an expedited Order protecting from disclosure in their entirety for a period of not less than five years MCImetro's 2003 annual report.

Respectfully submitted,

**MCImetro ACCESS TRANSMISSION
SERVICES, INC.**

By:



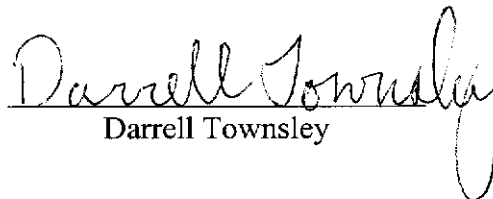
Darrell Townsley
Its Attorney
205 North Michigan Avenue
Suite 1100
Chicago, Illinois 60601
(312) 260-3533

Dated: February 9, 2004


STATE OF ILLINOIS)
)
COUNTY OF COOK) SS:

VERIFICATION

Darrell Townsley, being first duly sworn, deposes and states that he is an attorney for MCImetro ACCESS TRANSMISSION SERVICES, INC., that he has read the foregoing Petition for Emergency and Expedited Relief seeking proprietary treatment for its 2003 annual report and has knowledge of the contents thereof, and that the information therein contained are true to the best of his knowledge, information and belief.


Darrell Townsley

SUBSCRIBED AND SWORN to
before me this 9th day
of February, 2004



Notary Public

My Commission Expires: August 9, 2005

